

BOARD OF ZONING APPEALS

CITY OF MILWAUKEE

REGULAR MEETING - March 18, 1999

City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT: **Chairman:** Craig H. Zetley
 Members: Henry P. Szymanski
 Scott R. Winkler (*recused from item 38, left*
 after item 45)
 Catherine M. Doyle

Alt. Board Members: Donald Jackson (*voting on items 36-50*)
 Georgia M. Cameron (*voting on items 1-35 & 38*)

ABSENT: Danny L. Iverson (*excused*)

 Start time: 2:08 p.m. End Time: 6:28 p.m.

The first order of business was the review and discussion of revisions to the Board's Rules of Procedure. Henry P. Szymanski moved to approve the revisions as proposed in the draft dated February 4, 1999. Seconded by Catherine M. Doyle. Unanimously approved with the Chair abstaining and Donald Jackson not voting.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
1	22149 Rehearing Request Adjourned	Patricia Campbell, Lessee d/b/a Pattycake Children's Center Request for rehearing to occupy premises as a day care center for 50 children, ages 6 weeks to 12 years, from 6 AM to 6 PM.	4517-4519 W. North Ave. (17th)
<p>This item was adjourned at the request of the petitioner and will be rescheduled for the next available hearing date.</p>			
2	22101 Special Use Dismissed	Edgardo Arroyo, Lessee d/b/a Edgar Tire & Auto Request to occupying the premises as a motor vehicle repair facility.	2236 W. Forest Home Ave. a/k/a 2194 S. Muskego Ave. (8th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to dismiss the appeal. Seconded by Scott R. Winkler.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
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3	22171 Use Variance Dismissed	ABC Salvage & Towing, Inc., Lessee By: Timothy G. Duer Request to occupy the premises for the temporary storage of junk cars en route to the compressing plant.	6122 N. 76th St. (2nd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to dismiss the appeal. Seconded by Scott R. Winkler.

4	22114 Special Use Dismissed	Walfrid & Nancy Friedman c/o E3 Design Group, Inc., Property Owner d/b/a River Renaissance, LLC By: Robert Schulz Request to build a 52 unit condominium project with street level office/retail/restaurant space.	102-112 N. Water St. (4th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to dismiss the appeal. Seconded by Scott R. Winkler.

5	22141 Chg. of Operator Granted	Imperial Parking, Inc., Lessee By: Jack Belin Request for a change of operator to continue occupying the premises as a parking lot.	801-17 W. Wisconsin Ave. (4th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to grant the Change of Operator. Seconded by Scott R. Winkler.

6	22168 Ext. of Time Granted	T-3 Group, Ltd., Property Owner By: Peter J. Ogorek d/b/a Kohl's Food Stores Request for an extension of time to obtain the necessary permits.	1123 N. Van Buren St. (4th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to grant the Extension of Time. Seconded by Scott R. Winkler.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
7	21337 Variance Dismissed	Willowglen Acacemy, Inc., Lessee By: David S. Perhach Request to occupy premises as a group foster home for 8 children, ages 8-15 years, in the rear annex building.	3030-A W. Highland Blvd. (4th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Henry P. Szymanski moved to dismiss the appeal. Seconded by Scott R. Winkler.

8	22179 Change of Operator Granted	Phillips-Bell, LLC, Property Owner d/b/a Phillips-Bell Day Care Academy By: John O. Bell Request for a change of operator to continue occupying the premises as a day care center.	5660 N. Teutonia Ave. (9th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to grant the Change of Operator. Seconded by Scott R. Winkler.

9	22089 Special Use Dismissed	Order Express Inc., Lessee By: Fernando Miranda Request to occupy the premises as a financial office.	1210 W. Mitchell St. (12th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to dismiss the appeal. Seconded by Scott R. Winkler.

10	22158 Special Use Dismissed	GSS Corporation, Property Owner By: Saul Rosen Request to install one 13'6" x 9'1" ground sign and one 4'2" x 8'11" wall sign.	5575 S. 27th St. (13th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to dismiss the appeal. Seconded by Scott R. Winkler.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
11	22160 Change of Operator Granted	Bachan Singh, Prospective Buyer Request for a Change of Operator to continue occupying the premises as a gas station and convenience store.	123 W. Oklahoma Ave. (14th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the Change of Operator. Seconded by Scott R. Winkler.

12	22025 Dimensional Variance Adjourned	Tim Jordan / David Arnett, Property Owner d/b/a Evangel Assembly of God Request to install an 84 square foot ground sign.	9920 W. Good Hope Rd. (15th)
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This item was adjourned at the request of the petitioner and will be rescheduled for the next available hearing date.

13	22142 Change of Operator Granted	Robert B. Pyles, Franchisee d/b/a McDonald's Request for a Change of Operator to continue occupying the premises as a Type "B" restaurant with a drive-thru.	8100 W. Brown Deer Rd. (15th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to grant the Change of Operator. Seconded by Scott R. Winkler.

14	22126 Use Variance Adjourned	Faithworks, Milwaukee, Inc., Lessee By: Susan Vergeront Request to occupy a portion of the existing facility as a group living facility (rooming house).	3516 W. Center St. (7th)
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This item was adjourned at the request of an interested party and will be rescheduled for the next available hearing date.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
15	22128 Special Use Granted	Tabernacle of the Congregation Bible Church, Lessee By: Rev. Roosevelt McCoy Request to continue occupying the premises as a church.	1801 W. Keefe Ave. (10th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That all conditions of Decision No. 21148 are complied with in every respect except as otherwise amended herein.
5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
16	22123 Special Use Adjourned	The "Living" Room Christian Family Gathering, Property Owner By: Maria Jenkins Request to occupy the premises as a church.	814 S. 5th St. (12th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

This item was adjourned at the request of an interested party and will be rescheduled for the next available hearing date.

17	22120 Use Variance Granted 10 yrs.	Good Hope Christian Way/ Pastor Darin Kindle, Property Owner By: Michelle M. Sorce Request to occupy the premises as a day care center for 90 children, ages 2-5 years, from 6:00 AM to 6:00 PM.	9920 W. Good Hope Rd. (15th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
18	22145 Dimensional Variance Granted	Harriet Denzin, Property Owner Request to expand the 2nd story dwelling unit by altering the 3rd story attic space and providing egress between the two levels via interior stairs.	1034-36 S. 28th St. (16th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That the unit is to be occupied by no more than three unrelated individuals.
5. That this Variance is granted to run with the land.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
19	22137 Special Use Granted 10 yrs.	Firststar c/o Torke Wirth Pujara, Licensee By: Steve Peterman, Agent Request to add a free-standing drive-up ATM facility to a grocery store.	3217 W. Villard Ave. (1st) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That a landscape buffer of a minimum width of 5 feet be provided between the sidewalk on W. Villard Ave. and the drive-through area, instead of the pavement markings as indicated on the site plan, to define the ATM drive-through lane. This landscape buffer is also to extend to the westerly W. Villard Ave. driveway to the parking lot.
5. That a raised island be used to define and separate the ATM drive-through lane from the parking lot aisle, rather than pavement markings as indicated on the site plan.
6. That the appellant works with the Department of City Development -- Planning Administration staff to develop an appropriate landscape and screening plan along W. Villard Ave. An acceptable landscape and screening plan must be submitted to and approved by DCD within sixty (60) days of the date hereof. A copy of the approved plan must be forwarded to the Board office for the file.
7. That site illumination be controlled to prevent glare onto adjacent streets and residences.
8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
20	22181 Special Use Adjourned	Kevin Roberts/Daniel Hawkins, Lessee d/b/a Get Your Shine On Auto Wash & Detail Request to occupy premises as a hand car wash facility.	4744 N. Hopkins St. (1st)

Board member Henry P. Szymanski moved to grant the appeal for 10 years. Seconded by Scott R. Winkler. Approved by the Board with the Chair abstaining.

The matter was recalled later in the meeting at the request of the Alderman. Pursuant to the Board's Rules of Procedure, Scott R. Winkler moved to reopen the appeal. Seconded by Georgia M. Cameron. Approved by the Board with the Chair abstaining.

Catherine M. Doyle then moved to adjourn the matter to allow for further testimony to be taken at the April 15, 1999 hearing before the Board. Seconded by Georgia M. Cameron. Approved by the Board with the Chair abstaining.

21	22024 Boundary Line Ext. Adjourned	Devon Reid, Property Owner d/b/a Junior's Sports Bar & Grill Request to extend the local business boundary line 60 feet west and to construct a deck in the rear of the parcel.	5409 N. Green Bay Ave. (1st)
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This item was adjourned at the request of an interersted party and will be rescheduled for the next available hearing date.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
22	22034 Special Use Granted 10 yrs.	Roosevelt Adams, Lessee d/b/a Vision Auto Detailing Request to occupy the premises as a hand car detailing including a hand car wash.	6502 W. Fond Du Lac Ave. (2nd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That no work is to be done on any vehicle while parked on-street.
5. That no employee or customer vehicles associated with this use are to be parked in the rear alley at any time.
6. That all washing of vehicles occurs inside of the building.
7. That all wastewater is drained from the premises through a connection to a sanitary sewer.
8. That landscaping and screening on the site must be upgraded to meet the intent of s.295-75.
9. That no disabled vehicles or auto parts are to be stored outside.
10. That all outstanding orders of the plumbing inspector are complied with.
11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
23	22167 Dimensional Variance Granted	Stuart Carlson, Property Owner Request to construct a third story dormer to create attic habitable space adding to bulk & non-conforming side setback.	2118 E. Park Place (3rd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That the building must be maintained as a single family dwelling unit.
5. That this Variance is granted to run with the land.

24	22159 Special Use Granted 10 yrs.	Venola Bias, Property Owner d/b/a Cher-up's Family Child Care Request to occupy to premises as a day care center for 25 or less children, ages 6 weeks to 12 year, open Monday thru Saturday from 6:30 a.m. to midnight.	2444-46 N. 7th St. (6th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
25	22071 Special Use Granted	Tommy Williams, Lessee d/b/a Willialms Used Cars & Classic Autos Request to occupy premises as a used car dealership.	5301 W. Lisbon Ave. (7th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That the driveway onto W. Lisbon Ave. is permanently closed.
5. That curb gutter and sidewalk is restored at the abandoned W. Lisbon Ave. driveway in conjunction with the W. Lisbon Ave. paving.
6. That no more than 15 vehicles, including display, customer, and employee vehicles, occupy the site at any one time.
7. That no display, repair, or long-term storage of any vehicles associated with this use occur on any street or sidewalk in the area.
8. That no vehicles are parked on site in any way which would obstruct the movement of traffic into and out of any driveway to the site.
9. That no storage of junk or disabled vehicles occurs on site.
10. That no parking or stopping of any vehicles associated with this use occurs on W. Lisbon Ave.
11. That landscaping and screening plans meeting the intent of s.295-75 are submitted to and approved by the Department of City Development -- Planning Administration staff within sixty (60) days of the date hereof. Plans are to include an appropriate residential screen along the west and wouth property lines.
12. That no disabled or unlicensed vehicles or parts are to be stored outside.
13. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
26	22152 Use Variance Granted 10 yrs.	Time Warner Cable of Southeastern Wisconsin, Prospective Buyer By: Randy Cicatello Request to construct an unoccupied distribution hub site for cable TV.	3007-49 W. Forest Home Ave. (8th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That all abandoned driveways are to be removed with curb, gutter, and sidewalk restored as required by City Ordinance.
5. That all final building and site plans are submitted to the Department of City Development - Planning Administration for review and approval prior to permit issuance. A copy of the approved plans must be forwarded to the Board office for the file.
6. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.

27	22106 Special Use Adjourned	Brodersen Management, Prospective Buyer d/b/a Popeye's Chicken By: John Brodersen Request to construct a new Type "B" restaurant with drive through facility open during late hours.	7519 W. Good Hope Rd. a/k/a 7525 W. Good Hope Rd. (9th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Georgia M. Cameron moved to adjourn the appeal. Seconded by Henry P. Szymanski.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
28	22132 Dimensional Variance Granted	Matthew and Dorothy Luckett, Property Owner Request to build an addition to west of the existing residence without the required setback.	5626 W. Fountain Ave. (9th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.			
Conditions as recorded below and in the decision of the Board:			
1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.			
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.			
3. That the petitioner build in accordance with plans as submitted to the Board.			
4. That this Variance is granted to run with the land.			
29	21443 Special Use Adjourned	The House of God Church, Property Owner By: Connie Hewing Request to occupy the premises as a church.	4800-08 W. Fond du Lac Ave. (10th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
This item was adjourned to the next available public hearing to allow the petitioner's attorney to be present. Scott R. Winkler moved to adjourn. Seconded by Henry P. Szymanski.			
30	22103 Special Use Adjourned	Omni Enrichment, Inc., Lessee By: Barbara Tripp Request to occupy the premises as a social service facility.	4900 W. Fond du Lac Ave. (10th)

This item was adjourned at the request of the Chair and will be rescheduled for the next available hearing date.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
31	22144 Dimensional Variance Denied	Dan Gagliano, Property Owner Request to amend the variance approval given to construct a detached garage, carport and storage area.	4062 S. 76th St. (11th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to deny the appeal. Seconded by Catherine M. Doyle.

32	22033 Special Use Adjourned	Lyle Messinger, Lessee d/b/a Automation Wholesale Dealers Request to occupy premises as a motor vehicle sales and repair facility with outdoor storage.	3100 W. Lynndale Ave. (11th)
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This item was adjourned at the request of the Chair and will be rescheduled for the next available hearing date.

33	22102 Special Use Granted 10 yrs.	Juan Sanchez, Property Owner d/b/a La Hacienda Request to occupy the premises as a currency exchange.	827 S. Cesar Chavez Dr. (12th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That all storefront windows are maintained as clear glass and are maintained in a neat and attractive manner.
5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
34	22075 Use Variance Adjourned	Kennedy Le, Lessee d/b/a National Billiard Request to occupy the premises as a billiard hall for entertainment.	2221 W. National Ave. (12th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Scott R. Winkler moved to adjourn the appeal to allow the petitioner to submit a written statement indicating how the variance criteria had been met. Seconded by Henry P. Szymanski. When the information is received and reviewed, this item will be scheduled for the Board's consideration at Administrative Review.

35	22151 Special Use/Variance Adjourned	Mian's Oil Corporation, Property Owner By: Riaz Mian Request to expand the hours of operation on an existing motor vehicle pumping station/convenience store to 24 hours per day, 7 days per week.	1707 W. Rogers St. (12th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Scott R. Winkler moved to adjourn the appeal to allow for additional testimony to be taken. Seconded by Henry P. Szymanski.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
36	22124 Special Use Granted 10 yrs.	Michael L. Sanfelippo, Property Owner d/b/a Sanfelippo Auto Repair Request to occupy the premises for motor vehicle repair, sale of used vehicles, and taxicab dispatch.	630-42 S. 2nd St. (12th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That landscaping and screening must be upgraded to meet the intent of s.295-75.
5. That no cars are to be displayed for sale on site.
6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

37	22086 Special Use Adjourned	Overland Transportation System, Inc. Quast Transfer, Property Owner By: David Daniel Request to construct a 60' x 199' addition to the existing truck terminal.	5282 S. 13th St. (13th)
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This item was adjourned at the request of the petitioner and will be rescheduled for the next available hearing date.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
38	22113 Use Variance Granted 10 yrs.	Ameritech, Easement By: Frank Augustine Request to install a 7' x 17' (outside dimensions) equipment vault with 66" x 74" projection above grade.	10701 W. Florist Ave. (15th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Henry P. Szymanski moved to grant the appeal. Seconded by Donald Jackson.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.

39	22157 Dimensional Variance Granted	Dan Mikolajczak, Property Owner Request to build an addition to an existing garage.	9459 N. 91st St. (15th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the petitioner build in accordance with plans as submitted to the Board.
4. That this Variance is granted to run with the land.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
40	22084 Use Variance Adjourned	C.H. Coakley & Co., Property Owner By: Dan Pomeroy, Agent Request to install an off-premise advertising sign.	3742 W. Wisconsin Ave. (16th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
Donald Jackson moved to adjourn the request to allow the petitioner to submit additional information. Seconded by Henry P. Szymanski.			
41	22098 Special Use Adjourned	Clifford Johnson, Lessee d/b/a Cliff's Auto Request to continue occupying the premises for motor vehicle sales and repair.	1406-14 W. Cornell St. a/k/a 4453 N. Green Bay Ave. (1st) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to adjourn the appeal to allow the petitioner to submit an updated site plan. Seconded by Catherine M. Doyle.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
42	22072 Use Variance Granted 10 yrs.	Matthew & Kelly Baer, Property Owner d/b/a Image Auto Body Request to continue occupying premises as an auto repair and paint facility.	7202 W. Appleton Ave. (2nd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Henry P. Szymanski moved to grant the appeal. Seconded by Donald Jackson.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That all conditions of Decision No. 21244 are complied with in every respect except as otherwise amended herein.
5. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
43	21905 Special Use Granted	Mohammad Y. Motlani, Land Owner d/b/a Shell Gas Station Request to occupy premises as a 24 hour gas station / convenience store and a restaurant.	7646 W. Appleton Ave. (2nd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Scott R. Winkler moved to grant the request. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained except as amended herein.
4. That the hours of operation shall be from 6:00 a.m. to 12:00 a.m.
5. That curb, gutter, and sidewalk is restored at all locations where driveways are abandoned.
6. That landscaping and screening be updated to meet the intent of s.295-75.
7. That site illumination be controlled to prevent glare onto adjacent streets and residences.
8. That the appellant continues to work with DCD-Planning Administration staff on design related issues.
9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No.</u> <u>Type</u>	<u>Description</u>	<u>Location</u> <u>(Ald. District)</u>
44	22093 Special Use Granted 10 yrs.	Lisbon Sales & Service, Lessee By: Lewis R. Pobereznny Request to occupy the premises for used car sales and automotive repair.	7515 W. Lisbon Ave. (2nd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Henry P. Szymanski moved to grant the appeal. Seconded by Scott R. Winkler.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That no additional signage is erected.
5. That no vehicles for sale are parked or displayed on any street or alley adjoining the site.
6. That no repair of any vehicles occurs on any street, alley, or sidewalk.
7. That no vehicles associated with this use are parked in, or otherwise obstruct, the public alley to the rear of the site.
8. That landscaping and screening be updated to meet the intent of s.295-75.
9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
45	22148 Special Use/Variance Granted	Michael Lee/Richard Buser, Property Owners d/b/a Judges Irish Pub By: Michael Lee Request to construct an addition (approx. 1,200 sq. ft.) to the existing tavern/restaurant on the subject premises.	1431 E. North Ave. (3rd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Board member Scott R. Winkler moved to grant the appeal. Seconded by Henry P. Szymanski.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That the petitioner build in accordance with plans as submitted to the Board.
5. That this Special Use and this Variance are granted for a period of ten (10) years, commencing with the date hereof.

46	21560 Special Use Denied	Farwell Avenue Goodyear, Lessee By: Phillip D. Burns Request to continue occupying the premises as an automotive repair facility.	1441 N. Farwell Ave. (3rd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Catherine M. Doyle moved to deny the appeal. Seconded by Henry P. Szymanski.

47	22139 Dimensional Variance Adjourned	Daniel Pauli, Property Owner Request to occupy parcel as a three family dwelling.	2933-2935 N. Maryland Ave. (3rd) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Board member Henry P. Szymanski moved to adjourn the appeal at the request of the Alderman. Seconded by Catherine M. Doyle.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
48	22115 Special Use Granted 10 yrs.	Datacare Riverwest Invest. Corp., Prospective Buyer By: Barbara Thomas Request to occupy the premises as a day care for 25 children, open 24 hours per day.	2640-50 N. Humboldt Blvd. (6th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Henry P. Szymanski moved to grant the appeal. Seconded by Catherine M. Doyle.

Conditions as recorded below and in the decision of the Board:

1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.
2. That any permits required to execute the approved plans be obtained within six (6) months of the date hereof.
3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.
4. That if any permit or license from the State of Wisconsin is revoked by the State of Wisconsin, the Special Use herein granted shall immediately become null and void.
5. That the outdoor play area is not utilized after 7:00 p.m.
6. That the meeting rooms and retail operation are available only to customers of the day care center operation.
7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.

49	22110 Special Use Adjourned	A & A Petroleum, Inc., Property Owner By: Kahlid Ahmed Request to continue occupying the premises as a motor vehicle pumping station and car wash.	7609 W. Capitol Dr. (5th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley
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Henry P. Szymanski moved to adjourn the request to allow the petitioner to address the concerns of the Dept. of Public Works and the Dept. of City Development in writing. Seconded by Catherine M. Doyle.

<u>Item Number</u>	<u>Case No. Type</u>	<u>Description</u>	<u>Location (Ald. District)</u>
50	21813 Special Use Denied	Robert L. Hill, Property Owner d/b/a Faith Temple Missionary Baptist Church, Inc. Request to occupy premises as a church.	540 W. Center St. (6th) Ayes: 4 Nays: 0 Abstain: 1 C. Zetley

Henry P. Szymanski moved to deny the appeal. Seconded by Donald Jackson.

Other Business:

Board member Scott R. Winkler moved to approve the minutes of the February 25, 1999 meeting. Seconded by Board member Henry P. Szymanski. Unanimously approved.

The Board set the next meeting for April 15, 1999.

Board member Henry P. Szymanski moved to adjourn the meeting at 6:28 PM. Seconded by Board member Donald Jackson. Unanimously approved.

BOARD OF ZONING APPEALS

By _____
Secretary